CLAIM AMENDMENTS

1 – 118. (previously canceled)

119. (currently amended) A method of killing a pancreatic tumor cell that does not express insulin in a subject, the method comprising:

a) administering to ~~a~~ the subject a nucleic acid comprising a vector with an insulin promoter having SEQ ID NO:1 operatively coupled to a cytotoxic gene, wherein the administration of the nucleic acid is either by direct administration at the site of the pancreatic tumor cell that does not express insulin or by systemic administration via liposomal or adenoviral delivery and wherein the cytotoxic gene is thereby expressed in ~~a~~ the pancreatic tumor cell that does not express insulin, and

b) administering a prodrug to said subject, wherein the prodrug is converted to a cytotoxic compound by the action of the protein encoded by said cytotoxic gene and thereby killing the pancreatic tumor cell that does not express insulin.

120. (previously presented) The method of claim 119, where the cytotoxic gene is the thymidine kinase gene.

121. (previously presented) The method of claim 119, where the cytotoxic gene is the thymidine kinase gene and the prodrug is acyclovir, ganciclovir, FIAU or 6-methoxypurine arabinoside.

122. (currently amended) The method of claim 119 ~~121~~, wherein the administration of the nucleic acid is systemic.

123. (currently amended) The method of claim 119 ~~121~~, wherein the administration of the nucleic acid is by direct administration at the site of the pancreatic tumor cell.

124. (currently amended) A method of treating a PDX-1 positive pancreatic tumor cell ~~cells~~ in a subject, the method comprising:

a) administering to ~~a~~ the subject a nucleic acid comprising a vector with an insulin promoter having SEQ ID NO:1 operatively coupled to a cytotoxic gene, wherein the administration of the nucleic acid is either by direct administration at the site of the PDX-1 positive pancreatic tumor cell or by systemic administration via liposomal or adenoviral delivery and wherein the cytotoxic gene is thereby expressed in ~~a~~ the PDX-1 positive pancreatic tumor cell, and

b) administering a prodrug to said subject, wherein the prodrug is converted to a cytotoxic compound by the action of the protein encoded by said cytotoxic gene and thereby killing the PDX-1 positive pancreatic tumor cell.

125. (previously presented) The method of claim 124, where the cytotoxic gene is the thymidine kinase gene.

126. (previously presented) The method of claim 124, where the cytotoxic gene is the thymidine kinase gene and the prodrug is acyclovir, ganciclovir, FIAU or 6-methoxypurine arabinoside.

127. (currently amended) A method of killing a pancreatic tumor cell in a subject, the method comprising:

a) administering to ~~a~~ the subject a nucleic acid comprising a vector with an insulin promoter having SEQ ID NO:1 operatively coupled to a cytotoxic gene, wherein the administration of the nucleic acid is either by direct administration at the site of the pancreatic tumor cell or by systemic administration via liposomal or adenoviral delivery and wherein the cytotoxic gene is thereby expressed in ~~a~~ the pancreatic tumor cell, and

b) administering a prodrug to said subject, wherein the prodrug is converted to a cytotoxic compound by the action of the protein encoded by said cytotoxic gene and thereby killing the pancreatic tumor cell.

128. (previously presented) The method of claim 127, where the cytotoxic gene is the thymidine kinase gene.

129. (previously presented) The method of claim 127, where the cytotoxic gene is the thymidine kinase gene and the prodrug is acyclovir, ganciclovir, FIAU or 6-methoxypurine arabinoside.

130. (currently amended) The method of claim 127 ~~129~~, wherein the administration of the nucleic acid is systemic.

131. (currently amended) The method of claim 127 ~~129~~, wherein the administration of the nucleic acid is by direct administration at the site of the pancreatic tumor cell.

132. (currently amended) A method of killing a tumor cell expressing PDX-1 in a subject, the method comprising:

a) administering to ~~a~~ the subject with a tumor cell expressing PDX-1, a nucleic acid comprising an adenoviral vector with an insulin promoter having SEQ ID NO:1 operatively coupled to a cytotoxic gene, wherein the administration of the nucleic acid is either by direct administration at the site of the tumor cell expressing PDX-1 or by systemic administration via liposomal or adenoviral delivery and wherein the cytotoxic gene is thereby expressed in the tumor cell expressing PDX-1, and

b) administering a pro-drug to said subject, wherein the prodrug is converted to a cytotoxic compound by the action of the protein encoded by said cytotoxic gene and thereby killing the tumor cell expressing PDX-1.

133. (previously presented) The method of claim 132, where the cytotoxic gene is the thymidine kinase gene.

134. (previously presented) The method of claim 132, where the cytotoxic gene is the thymidine kinase gene and the prodrug is acyclovir, ganciclovir, FIAU or 6-methoxypurine arabinoside.

135. (currently amended) The method of claim 132, wherein the administration of the nucleic acid is systemic.

136. (currently amended) A method of killing a tumor cell expressing PDX-1 in a subject, the method comprising:

a) administering to ~~a~~ the subject with a tumor cell expressing PDX-1 a nucleic acid comprising a vector with an insulin promoter, said insulin promoter comprising multiple copies of SEQ ID NO: 2 operatively coupled to multiple copies of SEQ ID NO: 3 or 4, said insulin promoter operatively coupled to a cytotoxic gene, wherein the administration of the nucleic acid is either by direct administration at the site of the tumor cell expressing PDX-1 or by systemic administration via liposomal or adenoviral delivery and wherein the cytotoxic gene is thereby expressed in the tumor cell expressing PDX-1, and

b) administering a pro-drug to said subject, wherein the prodrug is converted to a cytotoxic compound by the action of the protein encoded by said cytotoxic gene and thereby killing the tumor cell expressing PDX-1.

137. (previously presented) The method of claim 136, where the cytotoxic gene is the thymidine kinase gene.

138. (previously presented) The method of claim 136, where the cytotoxic gene is the thymidine kinase gene and the prodrug is acyclovir, ganciclovir, FIAU or 6-methoxypurine arabinoside.

139. (currently amended) The method of claim 136, wherein the administration of the nucleic acid is systemic.

140. (new) The method of claim 136, wherein the administration of the nucleic acid is by direct administration at the site of the tumor cell.

141. (new) The method of claim 139, wherein the systemic administration is via liposomal delivery.

142. (new) The method of claim 139, wherein the systemic administration is via adenoviral delivery.

143. (new) The method of claim 122, wherein the systemic administration is via liposomal delivery.

144. (new) The method of claim 122, wherein the systemic administration is via adenoviral delivery.

145. (new) The method of claim 124, wherein the administration of the nucleic acid is systemic.

146. (new) The method of claim 124, wherein the administration of the nucleic acid is by direct administration at the site of the pancreatic tumor cell.

147. (new) The method of claim 145, wherein the systemic administration is via liposomal delivery.

148. (new) The method of claim 145, wherein the systemic administration is via adenoviral delivery.

149. (new) The method of claim 130, wherein the systemic administration is via liposomal delivery.

150. (new) The method of claim 130, wherein the systemic administration is via adenoviral delivery.

151. (new) The method of claim 132, wherein the administration of the nucleic acid is by direct administration at the site of the tumor cell expressing PDX-1.

152. (new) The method of claim 135, wherein the systemic administration of the nucleic acid is via liposomal delivery.

153. (new) The method of claim 135, wherein the systemic administration of the nucleic acid is via adenoviral delivery.